

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Allan R. Schwartz et al.

PATENT

SECTOR
#

Serial N .: 10/051,889 Examiner: Unassigned.
Filed: 01/16/2002 Art Unit: Unassigned
Docket No.: 99P1040US01

For: METHOD AND APPARATUS FOR RESETTING
PROGRAMMING PARAMETERS WITHIN AN
AN IMPLANTABLE MEDICAL DEVICE



TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

BOX MISSING PARTS
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application..., mailed 2/19/2002,
submitted herewith for filing are the following documents:

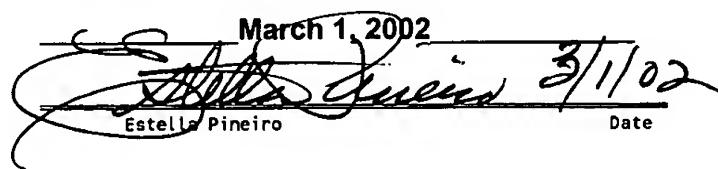
Transmittal Letter and Cert. of Mailing
 Notice to File Missing Parts of Nonprovisional Application...
 Declaration (executed)
 Fee Transmittal
 Return Postcard

Also enclosed herewith are:

Assignment (executed)
 Assignment (executed)
 Redlined page 2 of Datasheet and replacement page
 Red-lined Filing Receipt

I hereby certify that this correspondence is being deposited
with the United States Postal Service as "First Class Mail"
in an envelope addressed to the:
Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231, on:

March 1, 2002


Estella Pineiro Date

Respectfully submitted,



Derrick Reed, Reg. No. 40,138
Attorney for Applicants

Date 3/1/02
PACESETTER, INC.
15900 Valley View Court
Sylmar, CA 91392-9221
818-493-2200

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PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\\$) 510**

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 10/051,889 |
| Filing Date | 1/16/2002 |
| First Named Inventor | Allan R. Schwartz |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | 99P1040US01 |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

16-0068

PACESETTER, INC.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEES CALCULATION

1. BASIC FILING FEE

Large Entity **Small Entity**

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|------------------------|----------|
| 101 740 | 201 370 | Utility filing fee | |
| 106 330 | 206 165 | Design filing fee | |
| 107 510 | 207 255 | Plant filing fee | |
| 108 740 | 208 370 | Reissue filing fee | |
| 114 160 | 214 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Fee from below | Fee Paid |
|---|----------|
| Extra Claims -20** = <input type="text"/> X <input type="text"/> = <input type="text"/> | |
| -3** = <input type="text"/> X <input type="text"/> = <input type="text"/> | |
| Multiple Dependent <input type="text"/> | |

Large Entity **Small Entity**

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 84 | 202 42 | Independent claims in excess of 3 |
| 104 280 | 204 140 | Multiple dependent claim, if not paid |
| 109 84 | 209 42 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEES CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------------------|---------------|--|----------|
| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
| 105 130 | 205 65 | Surcharge - late filing fee or oath | 390 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for ex parte reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 400 | 216 200 | Extension for reply within second month | |
| 117 920 | 217 460 | Extension for reply within third month | |
| 118 1,440 | 218 720 | Extension for reply within fourth month | |
| 128 1,960 | 228 980 | Extension for reply within fifth month | |
| 119 320 | 219 160 | Notice of Appeal | |
| 120 320 | 220 160 | Filing a brief in support of an appeal | |
| 121 280 | 221 140 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,280 | 241 640 | Petition to revive - unintentional | |
| 142 1,280 | 242 640 | Utility issue fee (or reissue) | |
| 143 460 | 243 230 | Design issue fee | |
| 144 620 | 244 310 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | 120 |
| 146 740 | 246 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 740 | 249 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 740 | 279 370 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 510)

SUBMITTED BY

| | | | | | |
|-------------------|---------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Derrick Reed | Registration No. (Attorney/Agent) | 40,138 | Telephone | 818/493-2200 |
| Signature | <i>Derrick Reed</i> | | | Date | 3/1/02 |

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



TRANSMITTAL LETTER

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March 1, 2002

| | |
|--|---|
| To: Assistant Commissioner for Patents | From: Estella Pineiro Executive Patent Secretary 818/493-2251 |
| Attention: Office of Initial Patent Examination - Customer Service | ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221 |
| Telecopier: 703/308-7751 | Telecopier: 818/362-4795 |
| RE: REQUEST FOR CORRECTION OF FILING RECEIPT Applic. No. 10/051,889 Filed: 01/16/2002 Docket No. 99P1040US01 | Number of pages being sent: <u>3</u> (including cover page) |

- 1) Please make changes as red-lined on the enclosed Filing Receipt and provide a corrected filing receipt for our files.
- 2) Enclosed is the red-lined Inventor Information portion of the DATASHEET submitted at filing of the above application. Please replace with the attached corrected page.

Thank you for your help in this matter.

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND THOSE PROPERLY ENTITLED TO ACCESS TO THE INFORMATION AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED OR AN AUTHORIZED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISTRIBUTION, DISSEMINATION, OR DUPLICATION OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR FACSIMILE. THANK YOU.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/051,889 | 01/16/2002 | Allan R. Schwartz | 99P1040US01 |

CONFIRMATION NO. 7936

FORMALITIES LETTER



OC000000007497681*

PACESETTER, INC
15900 Valley View Court
Sylmar, CA 91392-9221

Date Mailed: 02/19/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

TSeeger/rede

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/15/2002 JAD001 00000012 160068 10051889

01 FC:105 130.00 CH

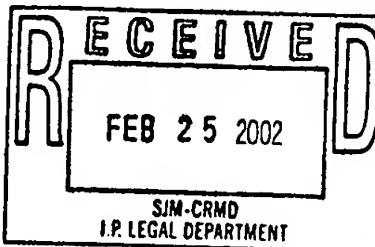
1456 1 21 -
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 10/051,889 | 01/16/2002 | 3762 | 740 | 99P1040US01 | 10 | 9 | 3 |



CONFIRMATION NO. 7936
FILING RECEIPT



OC000000007497680*

Date Mailed: 02/19/2002

PACESETTER, INC
5990 Valley View Court
Sylmar, CA 91392-9221



This application is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Should be
Allan R. Schwartz, Moorpark, CA;
David W. Adinolfi, Eden Prairie, MN;
Hakan Hornell, Stockholm, SWEDEN;
Kelly H. McClure, Simi Valley, CA;
Brian M. Mann, Beverly Hills, CA;

Should be
LIDINGOE

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/459,258 12/10/1999

Foreign Applications

If Required, Foreign Filing License Granted 02/19/2002

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Method and apparatus for resetting programming parameters within an implantable medical device

Preliminary Class

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).